Office of the President
Of the Philippines

NATIONAL SOLID WASTE MANAGEMENT COMMISSION

RESOLUTION NO. 9

Creation of a Technical Working Committee (TWC) for Phasing Out NEA Products and Packaging Materials

WHEREAS, the enactment of the Ecological Solid Waste Management Act of 2000 or the Republic Act 9003 provides for the prohibition on the use of Non-Environmentally Acceptable (NEA) Products and Packaging Materials;

WHEREAS, as per Section 29 of Republic Act 9003, within one (1) year from the effectivity of the Act, the National Solid Waste Management Commission (NSWMC) shall, after public notice and hearing, prepare a list of non-environmentally acceptable products and packaging materials that shall be prohibited according to a schedule that shall be prepared by the Commission;

WHEREAS, Section I, Rule III of the Implementing Rules and Regulations (IRR) of RA 9003 defines NEA products or packaging as products and packaging that are unsafe in production, use, post-consumer use, or that produce or release harmful by-products when discarded;

WHEREAS, according to Section 5 of the IRR of RA 9003, the Commission should decide on the basis of a set of criteria, which products or packaging is NEA and that any decision to prohibit certain packaging types and products must be supported by available scientific, environmental, technical and economic information and technical studies;

WHEREAS, some local government units have already passed an ordinance banning the use of certain products within their respective territorial jurisdictions;

WHEREAS, there is a need to create a Technical Working Committee (TWC) to:

(a) harmonize all existing regulations on phasing out certain products or packaging materials;
(b) formulate the criteria/guidelines for the selection of NEA products and packaging materials;
(c) conduct public hearings and consultations;
(d) facilitate the scientific, environmental, technical and economic studies on the proposed NEA phase-out;
(e) set the time frame for phasing out NEA;
(f) submit the final report and the list of NEA products and packaging materials for the Commission to consider, adopt and publish.

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, the creation of a Technical Working Committee (TWC) for Phasing Out NEA Products and Packaging Materials.
Section 1. Composition of the Technical Working Committee (TWC)

GOVERNMENT AGENCIES:

1. DTI
2. DOST

3. DENR
4. DOH
5. NSWMC COMMISSIONER FROM MANUFACTURING AND PACKAGING SECTOR
6. NSWMC COMMISSIONER FROM RECYCLING SECTOR
7. NSWMC COMMISSIONER FROM ENVIRONMENTAL NGO

NGOS:

1. CLEAN AND GREEN FOUNDATION, INC.
2. ECOWASTE COALITION
3. SOLID WASTE MGT. ASSOCIATION OF THE PHIL (SWAPP)
4. ZERO WASTE RECYCLING MOVEMENT OF THE PHIL. FOUNDATION, INC

Section 2. Functions of TWC

a) Shall harmonize all existing regulations on phasing out certain products or packaging materials;

b) Shall formulate the criteria/guidelines for the selection of NEA products and packaging materials;

c) Shall create a Technical Working Group per type of products to be phased-out and define its scope of work;

b) Shall tap existing agencies/member of the NSWMC to provide experts to help in coming up with the guidelines;

e) Shall facilitate the scientific, environmental, technical and economic studies on the proposed NEA phase-out;

f) Shall conduct public hearings and consultations;

g) Shall come up with the list of NEA products and packaging materials to be phased out;

h) Shall set the time frame for phasing out NEA;

i) Shall submit the final report and the list of NEA products and packaging materials for the Commission to consider, adopt and publish.

Section 3. The DTI and DOST shall respectively serve as chair and co-chair of the TWC.
Section 4. The TWC shall meet at least once a month. The presence of at least a majority of the members shall constitute a quorum. The chairman, or in his absence the co-chairman, shall be the presiding officer. In the absence of the heads of the agencies permanent representatives and alternates may be designated to attend the meetings.

Section 5. All expenses to be incurred by the TWC and the Secretariat of the NSWMC in the conduct of consultative meetings, public hearings, testing and validation shall be charged to the budget of the Commission;

Section 6. The TWC shall submit a report regularly to the NSWMC regarding the status of its undertakings as embodied in this Resolution.

This Resolution shall take effect upon approval.

Done this ____ day of ______, 2006, Metro Manila, Philippines

Chairman, National Solid Waste Management Commission
Secretary, DENR

Department of Interior and Local Government

Department of Science and Technology

Department of Public Works and Highways

Department of Health

Department of Trade and Industry

Department of Agriculture

Technical Education and Skills Development Authority

Philippine Information Agency

Metro Manila Development Authority

League of Provinces of the Philippines

League of Municipalities of the Philippines

League of Cities of the Philippines

Liga ng mga Barangay

Recycling Industry Representative

Manufacturing/Packaging Industry Representative

NGO Representative